

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

REBECCA KITCHENS,

Plaintiff,

vs.

THE UNITED STATES OF AMERICA, and
MARY OYELEYE, DMD;

Defendants.

8:24CV37

ORDER TO SHOW CAUSE

This matter comes before the court after a review of the docket. Plaintiff commenced this action on January 31, 2024. ([Filing No. 1](#)). Defendant United States of America (“USA”) was served on February 23, 2024. ([Filing No. 20](#)). Defendant Mary Oyeleye was served by publication on June 4, 2024. ([Filing No. 57](#)). Defendant USA filed a motion to dismiss the complaint on May 1, 2024. ([Filing No. 35](#)). Defendant Oyeleye retained counsel and filed an answer on June 24, 2024. ([Filing No. 63](#)).

On December 23, 2024, the court granted Plaintiff leave to amend the complaint. ([Filing No. 81](#)). As a result, Defendant USA’s pending motion to dismiss was denied as moot without prejudice. ([Filing No. 82](#)). Plaintiff filed the Amended Complaint on December 26, 2024. ([Filing No. 83](#)).

Defendant USA renewed its motion to dismiss for failure to state a claim. ([Filing No. 84](#)). That matter remains pending before the court. Defendant Oyeleye, however, did not answer or otherwise file a responsive pleading as to the Amended Complaint. Review of the docket shows that Defendant Oyeleye was properly served, has retained counsel and previously filed an answer.

Accordingly,

IT IS ORDERED:

Defendant Oyeleye shall have until July 3, 2025 to file an answer or other responsive pleading as to Plaintiff's Amended Complaint ([Filing No. 83](#)), or otherwise show cause why she has not responded.

Dated this 20th day of June, 2025.

BY THE COURT:

s/ Ryan C. Carson

United States Magistrate Judge